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July 14, 2005

TO: State Agency Procurement Officers

FROM: Joel Leberknight

SUBJECT: eMaryland Marketplace Fees

Two significant changes impacted procurements effective July 1, 2005. These changes resulted from House Bill 702 passed during the 2004 Session of the General Assembly, and apply to contracts solicited and awarded on or after July 1, 2005. Contracts solicited prior to July 1, 2005 will not be affected. eMaryland Marketplace (eMM) is being modified to accommodate these new requirements.

The first change is that effective July 1, 2005, agencies are required to publish notice of solicitations and contract awards on eMM as well as the Contract Weekly. Effective July 1, 2006, the Contract Weekly will cease to exist and notices must only be published on eMM. Detailed information on the notice requirement is provided in Attachment A. The posting of award notices on eMM will be very similar to the posting of award notices for the Contract Weekly.

The second change is that subscription fees to access eMM have been eliminated and instead, fees to support eMM will be assessed to vendors awarded contracts. Regulations for these fees have been approved with an effective date of July 1, 2005. Detailed information on the fee requirement is provided in Attachment B, and summarized in Attachment C. A copy of the fee regulation is provided in Attachment D and a copy of the Department of General Services Guidelines for Payment is included as Attachment E.

Any questions you may have regarding these changes should be emailed to Mary Naramore at maryn@dbm.state.md.us; please include the words "eMM Fee" in the subject line of your email.

Attachment A Notice Publication

1) Publishing Requirements Effective July 1, 2005:

Effective <u>July 1, 2005</u> agencies must post notice of the following on eMM:

- o Notice of Solicitation (at least 20 days 15 days for A&E services before bid submission/proposals due, when the resulting contract is expected to exceed \$25,000):
 - Competitive sealed bids;
 - Competitive sealed proposals;
 - Auction bids: and
 - Architectural and engineering services.
- o Notice of Intent to Award (at least 30 days before award):
 - Unsolicited proposals for business and economic development services, educational services, or health or social services.
- o Notice of Award (within 30 days of award for contracts/task orders/summarized awards exceeding \$25,000):
 - Competitive sealed bids;
 - Competitive sealed proposals;
 - Unsolicited proposals for business and economic development services, educational services, or health or social services:
 - Auction bids:
 - Sole source procurements;
 - Expedited procurements;
 - Architectural and engineering services (notice of selection); and
 - Master Contract purchase orders/task orders exceeding \$25,000 for those master contracts where a secondary level of competition exists. (Note: This will only apply to task orders/purchase orders on master contracts solicited and awarded on or after July 1, 2005. For DBM master contracts, DBM will post notice of task order/purchase order award. For DGS master contracts, DGS will post notice of task order/purchase order award. Purchase orders from statewide DGS contracts that have been web enabled as on-line catalogs and posted on eMM will not be posted as awards.)
 - Monthly/quarterly summarized award (usage) transactions exceeding \$25,000 for single award indefinite quantity contracts for which usage cannot reasonably be projected in advance, and multiple award indefinite quantity contracts where usage is determined by a non-competitive secondary means (e.g., lowest price contractor gets first right of refusal).

Fees are to be assessed up front and against the full value of the contract. Therefore the full value of the contracts (or task orders), including the value for the base period as well as any options, will be the value posted in the notice of award. Because the value of renewal options will be included in the original published notice of award, renewals will not be posted on eMM as they are exercised. (The only exception to this posting requirement, as noted below, is for certain human, social or educational services for which renewals and extensions must be posted as required by State Finance and Procurement Article §11-203 (b).)

Fees will not be assessed against contract modifications and <u>modifications will not be</u> posted on eMM.

2) Publishing Requirements Effective July 1, 2006:

In addition to the above requirements which were effective July 1, 2005, effective July 1, 2006, contracts resulting from the following procurement methods also must be posted on eMM:

- o Notice of Proposal:
 - Resource Sharing Agreements of \$100,000 or more (must be advertised for at least 30 days).
- o Notice of Award:
 - Noncompetitive negotiation for certain human, social or educational services as provided in State Finance & Procurement Article13-106; also notice of extension, and renewal of contracts as provided in State Finance & Procurement Article, §11-203 (b) (within 30 days of award, extension or renewal of contract);
 - Emergency procurement (within 30 days of award);
- o Notice of Waiver:
 - Architecture and engineering services notice of waiver (immediately).

3) Elements to be Posted:

The elements that must be posted for each notice will be very similar to those that must be posted for the Contract Weekly.

One of the elements that must be posted for each award is the "procurement method". Since awards resulting from certain procurement methods will not have fees, it is critical that the correct procurement method be identified for each award.

Another important element that must be posted for each award is the "fee category". The fee category is also critical in determining whether a fee is to be assessed and what level of fee is to be assessed, and therefore must be correctly entered. The fee categories are:

- Calculated Fee: eMM will calculate the fee based on the total award value;
- <u>Specified Fee</u>: Fee is specified in the solicitation. The fee level specified in the solicitation will also have to be included in the posted information;
- <u>Summarized Award (Usage) Fee</u>: eMM will calculate the fee based on the monthly (or quarterly) actual contract award amount that will be summarized for each contractor and entered on eMM if greater than \$25,000 in any month (or quarter); and
- <u>Task Order/Purchase Order Fee Only:</u> Used only for master contract awards for which the fee is to be assessed at the task order/purchase order level rather than at the master contract award, and for DGS Statewide contracts that are web enabled as online catalog posted on eMM.

4) For Additional Information:

If you need to obtain access to or training on eMM, please contact the eMM Help Desk by email (eMaryland@dgs.state.md.us) or by telephone (410-767-1492).

Attachment B eMaryland Marketplace Fees

1) Which contracts will be charged fees?

Except as noted in 2) below, a flat fee will be assessed for each contract that exceeds \$25,000 and is awarded under the following procurement methods:

- Competitive sealed bids, including procurements by negotiated award after unsatisfactory competitive sealed bidding;
- Competitive sealed proposals including real property leases;
- Unsolicited proposals for business and economic development services, educational services, or health or social services;
- Auction bids:
- Sole source procurements;
- Expedited procurements; and
- Architectural and engineering services.

While most contracts resulting from the above methods will be assessed fees upon award, some will be assessed fees throughout the life of the contract based on actual usage levels. These contacts include: a) master contracts for which there is a secondary level of competition (e.g., competitive task/purchase order process) to determine who will receive each business opportunity; b) multiple award contracts for which there is a non-competitive secondary means to determine which contractor gets each order (e.g., lowest price contractor has first right of refusal); and c) single award indefinite quantity contracts for which usage cannot be reasonably projected. For these contracts, fees will be assessed at the task/purchase order level or based upon summarized award (usage) levels as follows:

- Task orders/purchase orders exceeding \$25,000 in value and issued under indefinite quantity master contracts where there is a secondary level of competition. (Except, as noted in 2 below, for purchase orders issued under statewide DGS contracts that have been web enabled as on-line catalogs and posted on eMM.)
- Summarized award (usage) levels which exceed \$25,000 per period (either per month or
 per quarter as defined in the contract) for multiple award contracts with a noncompetitive secondary means to determine which contractor obtains an order, and for
 single award indefinite quantity contracts for which usage can not be reasonably
 projected.

2) Which contracts will be exempt from fees?

- Small procurement contracts and contracts valued at \$25,000 or less;
- Preference purchases;
- Revenue producing contracts;
- Resource sharing agreements;

- Statewide DGS contracts that have been web enabled as on-line catalogs posted on eMM (these contracts will continue to have a 2% transaction fee);
- Contracts resulting from emergency procurements;
- Contracts resulting from noncompetitive negotiations for certain human, social or educational services; and
- Intergovernmental cooperative purchasing agreements awarded by other governments.

Additionally, as noted in (1) above, the following contracts will not be assessed fees at award, but rather, throughout the life of the contract, on the basis of task/purchase order award or periodic (monthly or quarterly) summarized award (usage) reporting:

- Master Contracts for which there is a secondary level of competition through a task order or purchase order process;
- Multiple award contracts for which there is a non-competitive secondary means of determining which contractor receives an order; and
- Single award indefinite quantity contracts when usage cannot be reasonably projected.

3) How will contracts/task orders be valued for fee assessment purposes?

- A. For Calculated and Specified Fee type contracts, fees will be assessed against the full value of a contract including the base plus available options. For this reason, when initially posting a contract award on eMM, the full lifetime value must be entered into the notice of award. Because fees are assessed up front on full contract value, renewal options will not be posted on eMM as they are exercised. (The only exception is for certain noncompetitive negotiations for certain human, social or educational services wherein notice of extension, and renewal of contracts must be posted as provided in State Finance & Procurement Article, §11-203 (b).)
- B. For Task Order/Purchase Order Fee type contracts, fees will be assessed at the time of task/purchase order award and based on the full value of the task/purchase order award.
- C. For Summarized Award (Usage) Fee type contracts, the fee will be assessed either monthly or quarterly based upon total actual award amounts for each contractor for the specified time period.

Fees will not be assessed on contract modifications, and modifications will not be posted on eMM.

4) How much are the fees?

As provided by COMAR 21.02.03.06 fees on contracts solicited and awarded on or after July 1, 2005 are based on the actual or estimated contract value and are as follows:

Level	Contract Value	Fee
1	\$25,001 - \$50,000	\$100
2	\$50,001 - \$100,000	\$200
3	\$100,001 - \$200,000	\$500
4	\$200,001 - \$500,000	\$1,000
5	\$500,001 - \$1,000,000	\$2,500
6	\$1,000,001 - \$10,000,000	\$5,000
7	\$10,000,001 - \$25,000,000	\$7,500
8	\$25,000,001 - \$50,000,000	\$10,000
9	\$50,000,001 and over	\$15,000

The law provides for DBM to adjust the fees each fiscal year as necessary.

5) When and how will the fees be charged/collected?

A. Agencies should not have to be involved in the fee collection process except in vary rare cases. Upon notice of award on eMM, contractors will be contacted by eMM and asked to provide a credit card number to which the fee will be charged. Contractors who do not wish to pay by credit card will be asked to register for an Electronic Fund Transfer (EFT) transaction through which the fee will be paid. Contractors who do not wish to pay by credit card or EFT will be asked to make payment by check to eMM.

If a contractor fails to provide a credit card, register for an EFT transaction, or pay their fees by check, eMM will notify the agency procurement officer of record as noted on eMM. It is preferred that agencies not have to withhold fees from contractor payments. Therefore, in the event non-payment occurs, the contracting agency should contact the contractor immediately and notify them that they must provide the requested payment to eMM (through credit card, EFT or by check). Unpaid invoices should not be processed for payment until the contractor has paid the fee to eMM by credit card, EFT or check. In the event a contractor does not pay the fee by credit card, EFT or check and an agency is required to withhold the fee from a contractor's invoice, the agency should follow the process described in the DGS Guidelines for Payment. If a vendor fails to pay the fee within the prescribed time frames, the vendor should be declared ineligible to receive additional periodic awards until the fee is paid. If there are questions regarding the accounting and transfer of these funds, please contact the eMM Help Desk (eMaryland@dgs.state.md.us or 410-767-1492).

- B. For Revenue Neutral contracts the process will be the same as described in 5A except that there will be no payment from the State tow withhold or offset fees against (See Section 6C).
- C. For single award indefinite quantity contracts for which usage cannot be reasonably projected and multiple award contracts with a non-competitive secondary means of vendor selection, the process will be the same as described in 5A but the timeframes will be from the date of posting of the periodic award amount.

6) What language must be included in solicitations and contracts?

All contracts should contain a reference to the eMM registration number the vendor is assigned by eMM as confirmation of vendor registration.

A. Fixed Price Contracts

When vendors know the price they are bidding/proposing (e.g., fixed price contracts), they can refer to the fee schedule and factor the fee into their pricing. For contracts resulting from these awards, the fee category will be designated as "calculated fee" when the contract award notice is posted on eMM and eMM will calculate the fee based on the award amount posted. For these contracts the following language must be in the solicitation:

EMaryland Marketplace Fee

COMAR 21.02.03.06 requires that the successful bidder/offeror under this solicitation pay a fee to support the operation of eMaryland Marketplace. The applicable fee is based on total contract value (including base contract plus all options). A total contract value that is other than an even dollar amount will be rounded to the nearest dollar to determine the appropriate fee level. For example, a total contract value of \$50,000.49 will be rounded to \$50,000 and a Level 1 fee will apply. A total contract value of \$50,000.50 will be rounded to \$50,001 and a Level 2 fee will apply. A copy of COMAR 21.02.03.06 can be found on the eMM website at www.eMarylandMarketplace.com

The fee amount must be included within the rate or price of the proposal/bid and may not be quoted as a separate add-on price.

In order to receive a contract award, a vendor must be registered on eMaryland Marketplace. Contractors shall pay the fee as provided by COMAR 21.02.03.06 and in accordance with guidelines issued by the Maryland Department of General Services. These guidelines can be found on the eMaryland Marketplace website at www.eMarylandMarketplace.com.

B. Indefinite Quantity Contracts

1) For indefinite quantity contracts with a reasonable level of predictability of use, no secondary level of competition and when the vendor is bidding/proposing a rate or unit price, the vendor will not know the full value of the contract at the time of proposal/bid submission. Therefore, in such solicitations the agency will need to project contract utilization and specify the fee level in the solicitation. The agency's projections are for internal agency use only and should not be included in the solicitation. For contracts resulting from these awards, the fee category will be designated as "specified fee," and the specified fee level will be identified when the contract award notice is posted on eMM. The system will assess the fee based on the fee level specified in the solicitation. For these contracts, the following language must be included in the solicitation:

eMarylandMarketplace Fee

COMAR 21.02.03.06 requires that the successful bidder/offeror under this solicitation pay a fee to support the operation of eMaryland Marketplace. A copy of COMAR 21.02.03.06 can be found on the eMM website at www.eMarylandMarketplace.com.

The eMarylandMarketplace fee that will be imposed on the contract awarded under this solicitation corresponds to Level "X" [agency must specify the actual fee level] on the COMAR 21.02.06.03 fee schedule. The fee amount must be included within the rate or price of the proposal/bid and may not be quoted as a separate add-on price.

In order to receive a contract award, a vendor must be registered on eMaryland Marketplace. Contractors shall pay the fee as provided by COMAR 21. 02.03.06 and in accordance with guidelines issued by the Maryland Department of General Services. These guidelines can be found on the eMaryland Marketplace website at www.eMarylandMarketplace.com.

2) For single award indefinite quantity contracts for which usage cannot be reasonably projected and multiple award contracts with a non-competitive secondary means of vendor selection, again the vendor will not know the full value of the contract at the time of proposal/bid submission. Therefore, vendors need to be advised that the eMM fee will be assessed against the total of the actual award amounts to the vendor throughout the life of the contract at predetermined time intervals (either monthly or quarterly). The solicitation will need to identify the time for the summarization of usage (either monthly or quarterly). For contracts resulting from these awards, the fee category will be designated as "summarized fee". The system will assess the fee for each vendor based on the fee level for the total of awards during the stated time period. For these contracts, the following language must be included in the solicitation:

eMarylandMarketplace Fee

COMAR 21.02.03.06 requires that the successful bidder(s)/offeror(s) under this solicitation pay a fee to support the operation of eMaryland Marketplace. A copy of COMAR 21.02.03.06 can be found on the eMM website at <a href="https://www.eMaryland.org/www.eMaryland.org/www.eMaryland.org/www.emaryland

COMAR 21.02.06.03 includes a fee schedule which bidders/offerors should build into their bid/offer prices. Normally, contractors would be required to pay the appropriate fee upon contract award. However, because of the extreme variability in possible usage under the contract, either for a single contractor or for multiple contractors, no fee will be due at the time of initial award. Instead, awards/usage will be summarized and the appropriate fee assessed on a monthly/quarterly [agency must specify either monthly or quarterly in solicitation] basis.

The rate(s) or price(s) of the proposal/bid should be sufficient to accommodate the payment of the appropriate fee as per the COMAR 21.02.06.03 fee schedule. Fees may not be quoted as a separate add-on price.

In order to receive a contract award a vendor must be registered on eMaryland Marketplace. Contractors shall pay the fee as provided by COMAR 21.02.03.06 and in accordance with

guidelines issued by the Maryland Department of General Services. These guidelines can be found on the eMaryland Marketplace website at www.eMarylandMarketplace.com.

3) For indefinite quantity contracts when the vendor is proposing a rate or unit price and there is a secondary level of competition (e.g., task order or purchase order competition), no fee will be charged at the master contract level. For these contracts, the fee category will be designated as "task order/purchase order fee only." For these contracts, the following language must be included in the solicitation:

eMarylandMarketplace Fee

COMAR 21.02.03.06 requires that each master contractor that wins a task order or purchase order award pay a fee to support the operation of eMaryland Marketplace. The fee will be due on each task order or purchase order that exceeds \$25,000. The applicable fee will be based on task order or purchase order value (including any options). A total task order or purchase order value that is other than an even dollar amount will be rounded to determine the appropriate fee level. For example, a total task order or purchase order value of \$50,000.49 will be rounded to \$50,000 and a Level 1 fee will apply. A total task order or purchase order value of \$50,000.50 will be rounded to \$50,001 and a Level 2 fee will apply. A copy of COMAR 21.02.03.06 can be found on the eMM website at www.eMarylandMarketplace.com.

The fee amount for a purchase order or task order may not be charged to the State as a separate add-on price or in addition to the accepted purchase order or task order bid or offer.

In order to receive a contract award, a vendor must be registered on eMaryland Marketplace. Contractors shall pay the fee as provided by COMAR 21.02.03.06 and in accordance with guidelines issued by the Maryland Department of General Services. These guidelines can be found on the eMaryland Marketplace website at www.eMarylandMarketplace.com.

Resulting Task Order RFPs/Purchase Orders:

Task orders/purchase orders resulting from the above described master contracts will be posted and fees will be assessed if they exceed \$25,000 in value. Typically, task orders/purchase orders will have fees assessed as in Section 6A above, and the designated fee category will be "calculated fees." The following language must be included in the Task Order RFP/Purchase Order:

eMarylandMarketplace Fee

COMAR 21.02.03.06 requires that each master contractor that wins a task order or purchase order award will pay a fee to support the operation of eMaryland Marketplace. The fee will be due on each task order or purchase order that exceeds \$25,000. The applicable fee is based on full purchase order/task order value (including any options). A total task order/purchase order value that is other than an even dollar amount will be rounded to determine the appropriate fee level. For example, a total task order/purchase order value of \$50,000.49 will be rounded to \$50,000 and a Level 1 fee will apply. A total task order/purchase order value of \$50,000.50 will

be rounded to \$50,001 and a Level 2 fee will apply. A copy of COMAR 21.02.03.06 can be found on the eMaryland Marketplace website at www.eMarylandMarketplace.com.

The fee amount for a purchase/task order must be included within the rate or price of the purchase/task order bid or offer and may not be quoted as a separate add-on price.

Contractors shall pay the fee in accordance with guidelines issued by the Maryland Department of General Services. These guidelines can be found on the eMaryland Marketplace website at www.eMarylandMarketplace.com.

C. Revenue Neutral Contracts

Revenue neutral contracts are contracts that require no payments from the State to a vendor and the State receives no revenue from the vendor. Instead, the specific users of the service provided under the contract pay the contractor directly. The fee to be paid under this type of contract will be determined according to either 6A, 6B1, or 6B2. Hence the language to include in a solicitation for a revenue neutral contract shall be that for whichever of these three choices is most appropriate.

D. Sole Source Contracts

Sole source contracts and contracts resulting from unsolicited proposals for business and economic development services, educational services, or health or social services must include the following language:

The contractor shall pay within 30 days of award an eMaryland Marketplace Level "X" fee in accordance with COMAR 21.02.03.06 and guidelines issued by the Department of General Services. COMAR 21.02.03.06 and the payment guidelines can be found on the eMaryland Marketplace website at www.eMarylandMarketplace.com.

Due to delayed approval and implementation of the fee regulations, fees will not be required for sole source contracts approved before August 1, 2005.

7) If I have questions about which language to use, whom do I contact?

In the event you are uncertain about which language to use in your solicitation, please contact your DBM procurement analyst for a services or IT procurement, or the DGS procurement unit for commodity or maintenance service procurements.

Attachment C Summary of Fee Application

Exhibit C.1 Contracts With/Without Fees

	Fees	Exempt
Contracts by Procurement Methods/Type		
Competitive sealed bids		
Competitive sealed proposals		
Auction bids		
Architectural & engineering services		
Emergency procurement		√
Expedited procurement	√	
Sole source procurement	√	
Unsolicited proposals for business and economic development services, educational services, or health or social services	V	
Small procurements		√ √
Noncompetitive negotiation for certain human, social or educational		
services		√
Intergovernmental cooperative purchasing agreements awarded by other		,
governments		<u> </u>
Preference procurements		√
Revenue producing contracts		√
Revenue neutral contracts		
Resource sharing agreements		√
Special considerations:		
Indefinite quantity master contracts with secondary level of		
competition*		
Task/Purchase Orders resulting from these master contracts		
Indefinite quantity multiple award contracts with non-competitive		
secondary level of selection*		
Summarized monthly/quarterly usage for each contract		
Single award indefinite quantity contracts for which usage cannot be		
reasonably predicted *		
Summarized monthly/quarterly usage for the contract	√	

^{*} No fee will be applied at the initial or master contract level.

Exhibit C.2 Fee Application by Contract Type

	Calculated Fee	Specified Fee	Summarized Award (Usage) Fee	TO/PO Fee
Fixed Price Contracts	√			
Indefinite Quantity Contracts – Single Award: • Predictable level of usage		V		
Unpredictable level of usage			√	***************************************
Indefinite Quantity Contracts – Multiple Award:				
 Work is assigned through a secondary level of competition (e.g., through task order competition) 				√
 Work is assigned through other than secondary level of competition (e.g., lowest priced contractor has first right of refusal) 			V	
Revenue Neutral Contract	√	√	V	

Attachment D

21.02.03.06

Title 21 STATE PROCUREMENT REGULATIONS

Subtitle 02 STATE PROCUREMENT ORGANIZATION

Chapter 03 Department of Budget and Management

[New section] 06 eMaryland Marketplace Fees.

- A. Application. This regulation shall apply to contracts that are solicited and awarded on or after July 1, 2005 through the following types of procurement methods and whose total value exceeds \$25,000 over the life of the contract:
- (1) Competitive sealed bids pursuant to State Finance & Procurement Article, \$13-103, Annotated Code of Maryland;
- (2) Competitive sealed proposals, including but not limited to real property leases pursuant to State Finance & Procurement Article, §13-104, Annotated Code of Maryland;
- (3) Unsolicited proposals pursuant to State Finance & Procurement Article, §13-107.1, Annotated Code of Maryland;
- (4) Auction bids pursuant to State Finance & Procurement Article, §13-111, Annotated Code of Maryland;
- (5) Sole source procurement pursuant to State Finance & Procurement Article, §13-107, Annotated Code of Maryland;
- (6) Expedited procurement pursuant to State Finance & Procurement Article, §13-108, Annotated Code of Maryland; and
- (7) Architectural and engineering services pursuant to State Finance & Procurement Article, Division II, Subtitle 3, Annotated Code of Maryland.
 - B. Exclusions and Exceptions.

- (1) The fees assessed pursuant to this regulation shall not apply to:
 - a) Contracts valued at \$25,000 or less;
 - b) Revenue producing contracts as defined in COMAR 21.01.03.03(B);

and

- c) Statewide Department of General Services contracts that have been web enabled as on-line catalogues posted on eMaryland Marketplace.
- (2) For indefinite quantity contracts where there is a secondary level of competition, the fee shall be assessed on each purchase or task order over \$25,000.
 - C. Imposition and Collection of Fee.
- (1) The unit shall assess the fee upon award of the contract based on the actual or estimated contract value as follows:

Level	Contract Value	Fee
1	\$25,001 - \$50,000	\$100
2	\$50,001 - \$100,000	\$200
3	\$100,001 - \$200,000	\$500
4	\$200,001 - \$500,000	\$1,000
5	\$500,001 - \$1,000,000	\$2,500
6	\$1,000,001 - \$10,000,000	\$5,000
7	\$10,000,001 - \$25,000,000	\$7,500
8	\$25,000,001 - \$50,000,000	\$10,000
9	\$50,000,001 and over	\$15,000

- (2) The contractor shall pay the fee in accordance with guidelines issued by the Department of General Services.
 - (3) The contractor shall pay the fee within 30 days of award or task order award.
- (4) If a contractor fails to pay the fee when due, the State may withhold the amount of the fee from any future amounts that may otherwise become due and payable to the contractor pursuant to COMAR 21.02.07.03. This regulation does not limit any other rights and remedies of the State.

Attachment E Department of General Services Payment Guidelines eMaryland Marketplace Fee Collection

Visitor/Guest Access

Visitor/Guest Access will only have the ability to view and download all procurement documents.

Registered Vendor Access

Registered vendors will have the ability to view and download all procurement documents. In order to receive a contract award, a vendor must be a registered on eMM. However, a vendor must be registered to participate in an electronic bid conducted exclusively through eMM.

Fee Collection

The agency will post notice of award on eMM. The sliding scale fee table proposed by DBM will be coded into the system. The system will calculate the fee based on the type of contract award and the award amount. The system will send an email to the vendor notifying them of the contract award and the required fee payment. The email will inform the vendor of the acceptable methods of payment and will ask for credit card or electronic fund transfer (EFT) information for eMM Fee payment. The system will notify the vendor the fee has been charged. The email will include a link to the agreed terms along with the fee amount. Vendors will also have the ability to pay by check. Checks must be made payable to: Maryland Department of General Services. Vendors must itemize the payment, identifying the appropriate award number or award numbers and the total amount for each award. All checks must be mailed to:

Department of General Services c/o eMaryland Marketplace Attention: Fiscal Services Division 301 W. Preston Street Room 1309 Baltimore, Maryland 21201

EFT and checks will be manually entered into eMM. Vendors paying by check or EFT will receive a receipt via email notification once the check or fund amount has been posted. The email will include a link to the agreed terms along with the fee amount. These transactions will be reported on a Transaction Report in eMM. State agencies will have the ability to review and sort this report. The fees will be deposited into a State account designated for DGS and will be used to pay the cost of eMM.

If a vendor fails to submit payment within 10 days of the initial notification, a second system-generated email will be sent. If the payment is not the received within 10 days of the second email, a third and final email will be sent requesting payment. If the vendor pays the fee by credit card, check or by EFT the system will send a receipt by email to the vendor.

If the vendor has not submitted payment within 30 days of award, the system will capture the information in a report and send email notification to the eMM administrator. The eMM administrator will notify the contracting agency procurement officer of non-payment. Upon receiving the notice of non-payment from the eMM administrator, the contracting agency must notify their vendor that they must immediately provide payment to eMM. Any unpaid invoices should be pended until the fee has been paid. The contracting agency must request proof from the vendor the fee has been paid. The vendor may forward a copy of the emailed eMM receipt to show proof of payment before payment resumes.

If payment has not been received from the vendor within 45 days of award, the contracting agency must withhold the fee amount from an unpaid invoice. If an agency has to withhold payment, it must process a journal entry and R*STARS transfer to DGS Agency H00 PCA 44103 AOBJ 8118. In the description, field the agency must include the vendor name or tax ID, award # and amount.